

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

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|---------------------------|---|-----------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | Cr. No. 18-CR-2945 WJ |
| |) | |
| JANY LEVEILLE, |) | |
| |) | |
| |) | |
| Defendant. |) | |

**UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE RESPONSE TO
DEFENDANT’S MOTION FOR SEVERANCE AND NOTICE OF JOINDER IN
DEFENDANTS’ MOTION TO SEVER COUNTS 6 AND 7 FOR TRIAL**

The United States of America respectfully requests an extension of time in which to respond to the Defendant’s “Motion for Severance of Defendant Leveille and Notice of Joinder in Defendants’ Motion to Sever Counts 6 and 7 for Trial (Doc. 648),” (Doc. 686) filed on March 17, 2023. In support of this motion, the government states as follows:

1. A responsive pleading is due March 31, 2023. However, the Defendant's motion involves several requests for relief, including severance of her case, severance of multiple counts from the superseding indictment, leave to supplement the motion with affidavits from the other Defendants for the Court’s *ex parte*, *in camera* review, and a separate *in camera* inspection of Defendant Leveille’s “statements that the Government intends to use as evidence.” Doc.

686 at 1.

2. The Defendant's motion was filed on March 17, 2023, six weeks after the scheduling order's pretrial motion deadline and two weeks after an adjusted pretrial motion deadline for Defendant Leveille after an extension for its filing was not opposed by the United States.
3. The week prior to the filing of the motion, both counsel for the United States were either in trial or on military orders out of state. Upon return to normal business, counsel were engaged in catching up on other matters and preparing for the March 21 filing deadline for proposed findings of fact and conclusions of law and the March 28 hearing related to the standing issue for the Defendants' motion to suppress search warrant evidence.
4. Based on the above, the United States requests a fourteen (14)-day extension, until Friday, April 14, 2023, to file a responsive pleading.
5. Defendant Jany Leveille, through counsel, does not oppose this request.

WHEREFORE, the United States respectfully requests an extension of time until Friday, April 14, 2023, to respond to the Defendant's "Motion for Severance of Defendant Leveille and Notice of Joinder in Defendants' Motion to Sever Counts 6 and 7 for Trial (Doc. 648)," (Doc. 686).

Respectfully submitted,

ALEXANDER M.M. UBALLEZ
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/S/ Electronically filed
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I HEREBY CERTIFY that I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification to defense counsel.

/S/ Electronically filed
TAVO HALL
Assistant United States Attorney